

App F IX 1

Previous References

1946 47
(ml)

File No 68-46

Serial Nos 1, 2, 17, 18

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Four

Part B for

SUBJECT

Amending the existing Byelaws relating to
the levy of octroi under Section 48(1)k
of Town Municipalities Act 1938 in the Town
of Gundlupet

X 7159-60 of 16.11.46
to

The & the Municipal
Commissioner to form

Sanction the resolution of the
Council, Gundlupet to levy octroi
duty on certain articles at 2
1/2 paise

Letter No D₃ P R 13/46
dated 13.7.46 from the DC
Thynor DT requesting sanction
to the levy of octroi duty on
certain dutiable articles
by the Grindhuffel Town
M.C.

Subd.

1 It is proposed to
levy octroi duty on Butter,
oil seeds, oats, Bran, chaff,
Roofing tiles etc at the rate
prescribed in Schedule II
under Secn 6 of the Town
M. Act.

✓ Due publicity was
given to the proposed levy
of duty as a result of which
a petition signed by several
residents objecting to the levy
was received. The M.C.
have rejected the petition
taking the plea as unrea-
sonable - the plea being
that the levy ~~on~~ would cause
hardship and inconvenience
to the consumers and the
traders as well - and approved
the levy. The DC recommends
sanction to the levy as
it augments the resource.

540
-2

of the said Mu!G

3 and for o.s.s.

22
24/7

1 on the notice calling for objections to the proposed measure, the period for the receipt of objections is stated to be one month. The notice was published on 2/4/46. The subject was considered

fully at the meeting held on 30/4/46. It was considered whether order?

Pl enquire the day in view of this defect 24/7 pub

5 A draft letter is put up accordingly for approval.

22
26/7

Rev Secy 27/7/46

TYRING SECTION
20 JULY 1946

1/Secy
29/7/46

The Secy to the
L 2155 dated 6 8 46

Returned for renewal

of the proposal

1000
22
13/8

Serial
No

Letter No 23 PR 13 77/46 7 & 16 10 46 from the Dy Commr, Mysore Dt., stating that a fresh notice calling for objections has been published on 18.8.46 allowing one month's time to and that as no objections have been received during the period ^{fundamentally sure} the ml cl have at their meeting held on 27-9-46 resolved that octroi might be levied on the several articles

The several kinds of articles and the rate at which the octroi duty is proposed to be levied are as follows:-

- | | | | |
|---|--------------------------------------|-------------------------------|----------|
| 1 | Butter | Per maund of 960 tolas weight | Rs 0-6-0 |
| 2 | Bats, Bran, Chaff | Percent ad valorem | " 1-0-0 |
| 3 | oil seeds | Per candy of 160 seers | " 0-4- |
| 4 | Roofing tiles
(Mangalore pattern) | Percent ad valorem | " 1-9- |
| 5 | Metals | - do - | " 1-9- |
| 6 | Chunam or lime | Per cart load | " 0-4- |

The rates proposed by the ml cl do not exceed the maximum rates prescribed in schedule II (section 61, clauses (IV) & (V) of the Mysore Townships Act 1933

rules for orders

^{11/10} 1. The present bylaws relating to the levy of octroi in the ^{fundamentally sure} are mapped A

|| The ml cl have proposed to levy octroi afresh on the articles

Serial
No

referred to at A supra
The rates proposed are within the
maximum prescribed in schedule II
of the Mysore Townships Act, 1933
The prescribed formalities have been observed
one objection letter was received
It was considered by the MLC and was
rejected. In the above cases, the
proposals of the municipalities were referred
to the levy section at the rates proposed
in respect of the aforesaid and that
A Mysore may be approved

referred to
1/11/46

The proposed levy may be
approved

Minister for Revenue
Command

done
2/11/46
4/11/46

4/11/46

OFFICE OF THE MINISTER FOR REVENUE	
No.	3409
Date	4/11/1946

done
5/11/46
Drafted 11/11/46

subd with a draft 4-0 for appl

11/6

done

6/11/46

To the Dy Commr, Mysore
The Comptroller

- No L-71, 9-10 E, 16-11-46

Sanctions H. L. 1/11/46

18
1/11/46

ml - 68-46-1=

540/L

OFFICE OF THE DEPUTY COMMISSIONER,
Mysore District,

No.D3.P.R.13 of 46-47. Mysore dated the 13th July 1946.

Encl 7/6

From

Signature
C.M.H. RANAJODHA SINGH, Esq, B.A.,
Deputy Commissioner, Mysore District,
Mysore.

To

16/7/46
J.B. MALLARADHYA, Esq., M.A.,
Secretary to Government, Revenue Department,
Bangalore.

S i r,

15/7
For
Amending the existing bye-laws relating to the
levy of Octroi under Section 48 (i) K. of Town
Municipalities Act 1933 in the Town Municipality
at Gundlupet.

I have the honour to forward herewith the file of correspondence ending with the President's Report No.C.69 of 45-46 dated the 29th June 1946 on the above subject, and to state that the Council with a view to augment their resources, resolved at their meeting held on 31-3-1946 to levy octroi on certain dutiable articles according to the Schedule of Rates II Sec.61 Clauses (iv) and (v) by amending the existing Octroi Bye-laws. Copy of Amended bye-laws with a copy of the resolution dated the 31st March 1946 are enclosed. Due publicity was given to the proposed amendment by a notice published by beat of tom tom, calling for objections, if any, within one month from the date of issue of notice. A petition dated the 12th April 1946 signed by several residents objecting to the levy was received subsequently and the ground urged is that it would cause hardship and inconvenience to the consumers and the ^{traders} ~~trade~~ as well. This petition is enclosed.

The Council have considered these objections at their meeting held on 30-4-46 and have ruled them out as being unreasonable. It is opined that this levy will be an indirect taxation on the consumers who will not feel to pay it, being negligible and also not burdensome. The President Thinks that the objection may be rejected and sanction accorded to the Council Resolution.

P.T.O.

SUBJECT *Re: Levy of octroi duty on certain articles in Gundlupet Town Malg.*

Diary No of letter replied to *540/L*

General and Revenue Secretariat

()
the 194

Date of issue

6 8 46

Signed by

K. V. R. R.

List of enclosures

Copied by

Examined by

Section *RM*

File No *68-46*

Serial No *2*

No *L2155-LR*

To

The D.C. Mysore Dist.

Sir,

With reference to your letter no D3 P R 13/46 dated 13.7.46 on the above subject, I am directed to state that, on a perusal of the records it is seen that the notice calling for objections on the proposed levy ^{by the P.W.D. of the Malg.} was issued on 24 46 allowing for time of one month for the purpose as per rules. But the

All cl have approved the bye-laws
in this meeting held
on 30.4.46. ~~It~~ It shows that the
rule prescribing one month's time
for preferring objections was not
strictly followed by the Bd cl which
amounts to ^{an} ~~infringement~~ ^{as mentioned in the} ~~of the~~
^{legal} provision. In view of this defect
it would be illegal to ~~proceed~~ ^{therefore}
the proposed levy. ^{The proposal may be renewed}
after observing ~~the~~ ^{the} ~~provisions~~ ^{as per rules.}
The records accompany.

I am to point out that this
defect should have been
observed before the papers
were put for the sanctioning.

I have etc

for. to Rev Secy
26/7
29/7/

GEN & REV SECRETARY
3043
28 OCT 1946
L.S. BRANCH.

OFFICE OF THE DEPUTY COMMISSIONER
Mysore District,
Mysore dated the 16th October 1946

No 23 PR 13 77/46-7

in file

Encl. 68-46-17

*ms (my)
To*

FROM
C M H RANJODLA SINGI, Esq, B A ,
Deputy Commissioner, Mysore District,
Mysore

TO
J B. MALLARADIA, Esq, M A ,
Secretary to Government, Revenue Department,
Bangalore

Sir,

Levy of Octroi Duty on certain article in
Gundlupet Municipality

With reference to your letter No L 2155/11 68-46-2 dated 6th August 1946 on the above subject, I have the honour to forward herewith, a report No C 69 of 45-46 dated 29-9-1946 received from the President, Town Municipal Council, Gundlupet on the above subject, and to state that a fresh notice calling for objections, was published on 18-8-1946 allowing time for one month for the purpose as per rules

The Council took up the question for consideration on 27-9-1946 having received no objections in the interval and resolved that octroi might be levied on the articles noted in the bye-laws as amended. Copy of the resolution is enclosed

I request in the circumstances, that sanction may kindly be accorded to the resolution of the Council to levy octroi on the articles specified in the Schedule 4 of the Bye-laws enclosed as the required formalities have been observed

I have the honour to be,
Sir,
Your most obedient servant,

Commissioner
DEPUTY COMMISSIONER,
Mysore District

SUBJECT

A60

16. 11 46

Mr. G. R. R.

Section

one

File No

68-46

Serial No

18

Proceedings of the Government of
His Highness the Maharaja of Mysore

34

Read—Correspondence ending

with letter no 23 PR 13 77/46-47

of 16 to 46 from the Dy Commr, Mysore

Dt, requesting sanction to the

resolution dated the 27th Sept 1946 of

the Gundlupet town ml cl, to levy

octroi duty on certain articles as

noted in the margin at the rates

~~Order thereon—No~~

noted against each, which are

brought into the ml limits and
as such that the registered furniture
see ordered Order no 7159-60

Sanctioned. These articles

may be included in the list of

articles specified in Schedule 4 of

the Puzelawala this behalf in force

in the municipality

for
letter to Govt
Ret. 16.11.46

Butter.	Rs 0-6-0 Per maund of 960 tolas weight,
Oats	" 1-0-0 Per cent avaralodum
Oran chaffs	" 0-4-0 Per cent of 60 seers
oil seeds	" 1-9-0 Per cent avaralodum
Roasting tiles (Mangalore pattern)	" 1-9-0 Per cent avaralodum
Metals	" 0-4-0 Per cent avaralodum
chunam or lime	" 0-4-0 Per cent avaralodum

To the Dy Commr, Mysore Dt (w.r)
The Comptroller ✓

List of Enclosures

Copied by

Examined by

87

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read:

Correspondence ending with letter No.D3 FF.13-77/46-47 dated the 16th October 1946 from the Deputy Commissioner, Mysore District requesting sanction to the resolution dated the 27th September 1946 of the Gundlupet Town Municipal Council, to levy Octroi Duty on certain articles as noted below at the rates noted against each which are brought into the Municipal Limits and adding that the prescribed formalities were observed in the matter

Butter	Rs. 0 6 0	per maund of 960 tolas weight
Oats	1 0 0	per cent advalorem.
Branchaff		
Oil seeds.	0 4 0	per candy of 160 seers
Roofing tiles	1 9 0	per cent advalorem
(Mangalore Pattern)		
Metals	1 9 0	do do do
Grass or lime.	0 4 0	per cart load

Order No. *L 7159-60/mc 68-46-18*
Dated, Bangalore, the *16th* November 1946.

Sanctioned, These articles may be included in the list of articles specified in schedule 4 of the Byalaws in force in this behalf in the Municipality.


for Secretary to Government,
Revenue Department

To

The Deputy Commissioner, Mysore District, with records.
The Comptroller to the Government of Mysore

hss/4.